

PIERPONT COMMUNITY & TECHNICAL COLLEGE
Board of Governors Policies and Procedures
POLICY # 7

TITLE: ETHICS, CONFLICTS of INTEREST, and CONFLICTS of COMMITMENT

Effective Date: TBD

Amended: TBD

Repealed:

Deleted: December 5, 2001

SECTION 1. GENERAL

1.1 Scope: This policy implements guidelines in accordance with the West Virginia Governmental Ethics Act. In addition, Pierpont Community & Technical College (“Pierpont” or “the College”) seeks to provide that all Faculty, Staff, Board of Governors, and Volunteers, (including students with an employment relationship with the College) are responsible for sustaining the highest ethical standards through values of integrity, honesty, and fairness in their teaching, research, service, and business practices. This policy provides the College’s guidelines regarding real and perceived Conflicts of Interest. It also provides guidelines that identify when Pierpont Faculty and Staff can appropriately enter into Consulting Arrangements with third parties outside of the scope of their employment with the College. Faculty on less than twelve-month appointments must continue to comply with the Ethics Act during the months between their appointment terms

1.2 Authority West Virginia Code § 18B-1-6, 6B-2-5(L)

1.3 Effective Date TBD

Deleted: December 5, 2001

1.4 Preamble: In 1989, the West Virginia Legislature enacted the West Virginia Governmental Ethics Act, set out in Chapter 6B of the West Virginia State Code, declaring unlawful certain activities by public employees. Section 5(a), Article 2 of the Act prohibits a public employee from using his or her office or the prestige of that office for private gain. Section 5(c), Article 2 prohibits solicitation of gifts that may confer pecuniary benefits upon the employee. Section 5(d), Article 2 prohibits an interest in the profits or benefits of a public contract which an employee has direct authority to enter into or over which he or she may have control.

The original version of the Ethics Act subjected all public employees, including higher education employees, to fines, sanction, and criminal prosecution for violation of the Ethics Act unless they obtained prior approval for the proposed activity from the West Virginia Ethics Commission. Many of the teaching, research, consulting and publication activities of higher education faculty and staff necessarily result in known and appropriate private benefits or gain which are customary and normal in higher education, but which were identified as potential violations of these provisions of the Ethics Act after its enactment. In 1990, the Ethics Act was amended at Section 5(1), Article 2 to allow higher education employees who derive private benefits from teaching, research, consulting, or publication activities the option of seeking exemption from the above prohibitions from their employing institution instead of through the Ethics Commission.

Therefore, this rule is adopted to set forth an expeditious procedure for granting such approval of exemptions at the institutional level to faculty and staff members who seek to be relieved of certain statutorily imposed prohibitions of the West Virginia Governmental Ethics Act. Nothing in this rule shall be interpreted as restricting or prohibiting the otherwise lawful institutional or outside activities of faculty or staff consistent with their institutional duties and responsibilities or

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employment contracts, or as requiring the prior approval of such activities by the institution. Nor shall this rule be interpreted as restricting academic freedom, as defined in Series 9 of the Higher Education Policy Commission Rules or the constitutional rights of employees to free speech and association.

However, this rule shall not be interpreted to require or grant institutional approval or sanction of faculty or staff activities that violate or conflict with their institutional duties or responsibilities, employment contract, federal or state law, the rules of the Pierpont Board of Governors, or the ethical standards imposed by the West Virginia Governmental Ethics Act.

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SECTION 2. APPROVAL of ACTIVITY

- 2.1 Institutional approval of any activity pursuant to this policy shall be deemed to be a part of the employee's employment contract.
- 2.2 Any institutional approval granted pursuant to this policy may be revoked upon reasonable notice to the employee.
- 2.3 Approval for any activity under this policy may only be given by the College president or the president's designee. Such delegation of authority by the president shall be in accordance with the needs of the college but in no case shall such delegation be at an authority level lower than a departmental chair, director, or other similar department supervisor.
- 2.4 Approval for any activity may be granted on a case-by-case basis or, when such activities are common within the institution, a department or other category or grouping of employees, to all of the institution's employees or any subgrouping thereof.
- 2.5 The institution shall establish appropriate procedures for the review and approval of those employee activities covered by this policy.
- 2.6 Disclosures required by this policy are personal in nature and shall be kept confidential, as permitted by law.

SECTION 3. SOLICITATION of GIFTS

- 3.1 Unless otherwise restricted by one's supervisor, employees shall be permitted to solicit gifts which directly benefit the institution. Solicitations on behalf of a particular department, school or the Pierpont Foundation shall be deemed to be solicitation on behalf of or for the benefit of the institution.
- 3.2 Permissible solicitations shall include but not be limited to the following, even though the soliciting employee may work in a position which will be directly or indirectly supported thereby:
 - 3.2.1 Grants from governmental agencies, foundations, corporations, or individuals to the institution to support teaching, research, publication or service activities of the institution;
 - 3.2.2 Contracts with governmental agencies, foundations, corporations, or individuals to the institution to support teaching, research, publication or service activities of the institution;
 - 3.2.3 Donations from foundations, corporations, or individuals to the institution to support teaching, research, publication or service activities of the institution.

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3.3 Support for teaching, research, publication and service activities shall include but not be limited to such normal and regular institutional needs as support for salaries; scholarships; capital improvements or repairs; and classroom, laboratory, athletic, medical, scientific and other similar equipment supplies.

SECTION 4. USE OF PUBLIC OFFICE FOR PRIVATE GAIN

4.1 No solicitation or other activity permitted by this policy shall be deemed to be the inappropriate use of an employee's public office (position) or the prestige of that office for one's own private gain or that of another person.

4.2 When an employee of Pierpont Community & Technical College uses his or her knowledge and personal prestige for private gain without the use of the employee's public office, then there is no requirement to obtain an exemption under this ethics policy.

4.3 West Virginia Code Chapter 6B, Article 2, Section 5(1) gives institutions of public higher education limited authority to grant exemptions to their employees from the prohibitions in the State Ethics Act relating to the use of public office or the prestige of public office for private gain when the employee is using his or her field of expertise as an author, speaker, consultant or through other approved activities such as service as a board member for outside agencies or businesses. Therefore, when an employee of Pierpont seeks to use his or her public office or the prestige of their public office for the employee's private gain or for the private gain of another person, the employee may seek from the President or his/her designee an exemption (as limited by the Ethics Act) from the prohibition against the use of public office or the prestige of public office for private gain.

4.4 The College President or his/her designee, subject to review from the Conflicts of Interest Committee, may grant the employee an exemption to permit the employee to use the employee's public office to derive private benefit from the employee's field of expertise as an author, speaker, consultant, or through other approved activities such as service on the board of an outside agency or business.

4.5 In granting permission for an employee to engage in such outside activities which may be directly or indirectly associated with the employee's position with the institution, consideration should be given to the following:

4.5.1 Whether the employee brings to his/her position his/her own unique personal prestige which is based upon his/her own intelligence, education, experience, skills and abilities, or other personal gifts or traits.

4.5.2 Whether such activity is customary and usual within the field;

4.5.3 Whether the institution derives any benefit through prestige or otherwise from the activity;

4.5.4. Whether the institution expects or anticipates that the employee will gain financially from the activities which are not a part of the employee's required employment activities;

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4.5.5 Whether the employee's activity will increase his/her personal or professional development or will lend service or benefit to the nation, state or community;

4.5.6 Whether the outside activity will interfere with or create an overriding conflict with the employee's responsibility to the institution or will interfere with the satisfactory performance of the employee's institutional duties.

4.6 The disclosure by an employee of an employee's position, title, and work history with Pierpont or any other public college in West Virginia in the promotion of an employee's private activities shall be exempt from the prohibition against the use of prestige of public office for a private gain. However, in these cases the employee has the responsibility to make clear the fact that he or she is not representing the institution but is speaking as a private citizen. Employees may not use College-owned supplies, equipment, or other resources for personal projects or outside Consulting Arrangements. However, College Employees may use such resources for personal projects or outside Consulting Arrangements pursuant to an arrangement with the College to pay a fair market rate for those resources. College Employees may not use their subordinates to work on personal projects or outside Consulting Arrangements during work hours or compel them to do so on their own time. Any misuse of Pierpont resources is prohibited unless that use is de minimis, that is, involving only an insignificant amount of time, funds, supplies, personnel, or equipment.

4.7 An employee who obtains an exemption from the Ethics Act prohibitions, or under any other conflicts in this rule, under the procedure authorized in this policy shall not be deemed an agent of Pierpont when the employee is acting outside the scope of his or her other employment for his or her private benefit.

4.8 No exemption granted under this ethics policy shall be deemed to constitute a waiver by the institution of any lawful contractual provision in the employment contract of a full or part-time employee of Pierpont.

SECTION 5. INTERESTS IN PUBLIC CONTRACTS

5.1 The Ethics Act prohibits College Officials from having a financial interest in any contract, purchase, or sale over which their position at the College gives them control, unless the total value of such contracts, purchases, or sales does not exceed One Thousand Dollars (\$1,000.00) in a calendar year. This prohibition extends to contracts in which the College Employee's Family Members have a financial interest, as well as to any business with which the College Employee or their Family Members are associated. Each Official shall be required to disclose any interest the employee or any member of the employee's immediate family may have in the profits or benefits of a contract which the employee may have direct authority to enter into or over which the employee may have control unless such interest is limited within the meaning of West Virginia Code 6B-2-5(d)(2).

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5.2 Pierpont, through its Conflicts of Interest Committee, may review any interest an employee or any member of the employee's family may have and determine what, if any, restrictions or limitation should be placed on the employee's activities.

5.3 Without limitation, the following represent examples of interests in public contracts which may be permitted:

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5.3.1 The faculty/employee is the author and copyright owner of a leading textbook in his/her teaching field and may wish to require the use of the textbook by his/her students;

5.3.2 The faculty/employee is the inventor and patent owner of a scientific tool necessary for research in his/her field;

5.3.3 The faculty/employee is an expert in the region in a particular field and such consulting expertise is being sought by the institution or another governmental agency and the providing of such consulting services is not a part of the employee's duties to the institution.

5.4 A Pierpont Employee may not endorse a particular product or business. This includes any product or business and includes case studies completed by a vendor. A commercial endorsement of a product or business is only permissible when it results in an overriding public benefit. Sponsorship agreements entered into on behalf of the College are deemed to have an overriding public benefit within the meaning of the Ethics Act.

5.5 Dual Compensation. No Pierpont Employee may receive compensation from two sources of state, county, or municipal government for working the same hours, except under certain limited circumstances. However, Faculty and Non-Classified Staff can engage in an outside Consulting Arrangement with a state, county, or municipal government as long as the individuals comply with all of the requirements within Section 7 of this Rule in doing so.

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SECTION 6. ADDITIONAL PERMISSIBLE ACTIVITY

6.1 Unless otherwise prohibited by the Pierpont Board of Governors, no activity permitted under the West Virginia Ethics Act shall be deemed to be a violation of this policy.

6.2 Unless otherwise prohibited or restricted by the Pierpont Board of Governors, no activity approved, permitted or exempted by the West Virginia Ethics Commission shall be deemed to be a violation of this policy.

SECTION 7. PRESIDENT AND CHAIR

7.1 Upon review by the Conflicts of Interest Committee, the Chair of the Pierpont Board of Governors shall have the authority to review and grant approval of those activities of the president which may involve a conflict of interest pursuant to this policy.

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SECTION 8. CONFLICT OF INTEREST AND CONFLICT OF COMMITMENT

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8.1 All full-time Pierpont Employees owe their primary professional allegiance to the College. All Pierpont Officials and Employees should be aware of the two types of conflicts: Conflicts of Interest and Conflicts of Commitment.

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8.2 Conflicts of Interest

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8.2.1 A Conflict of Interest occurs when there is a divergence between a College Employee or Official's private, personal relationships or interests and their professional obligations to the College such that a reasonable observer might question whether the individual's professional actions or decisions are determined by or substantially altered by considerations of personal benefit, gain, or advantage.

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8.2.2 Whether a Conflict of Interest, or the appearance of a Conflict of Interest, exists depends on the situation, not on the character or actions of the individual. The determination of the existence of a Conflict of Interest or the appearance of a Conflict of Interest is done objectively on a case-by-case basis. Because the appearance of a Conflict of Interest can be as damaging or detrimental as an actual Conflict of Interest, for the purposes of this Rule, apparent Conflicts of Interest are treated the same as actual Conflicts of Interest. As a result, any appearance of a Conflict of Interest must also be disclosed and reviewed in accordance with this Rule by the Conflict of Interest Committee.

8.3 Conflicts of Commitment

8.3.1 A full-time Pierpont Employee's primary commitment of time and intellectual effort must be to the teaching, scholarship, and service missions of the College.

8.3.2 A Conflict of Commitment refers to a situation where an individual engages in external activities, either paid or unpaid, that interferes with his/her primary obligation and commitment to the College. Individuals in the Pierpont community should evaluate and arrange their external interests in order to avoid compromising their ability to carry out their primary obligations to the College, and most conflicts of commitment should generally be avoided or resolved through the exercise of personal judgment or discretion.

8.4 Corrective Actions for Violations

8.4.1 Any Pierpont Employee who fails to abide by the requirements within this Rule shall be subject to appropriate disciplinary action, up to and including termination, or other disciplinary action as may be appropriate.

SECTION 9 INSTITUTIONAL CONFLICT OF INTEREST

9.1 An Institutional Conflict of Interest may exist when the personal financial holdings of a Pierpont Official which, by virtue of their institutional authority, may affect or reasonably appear to affect institutional processes, business transactions, or other activities at the College.

9.2 **Disclosure Requirements.** Officials must annually disclose Significant Financial Interests for Institutional Conflicts of Interest to the Conflict of Interest Committee by June 30 of each year.

9.2.1 Each Official must submit an Institutional Conflict of Interest Disclosure regardless of whether or not the individual has a Significant Financial Interest for Institutional Conflicts of Interest to report.

9.2.2 Each Official must sign and certify the annual disclosure as accurate and complete.

9.2.3 Each Official must update their annual disclosure within thirty (30) days of the development of a new Significant Financial Interest.

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9.2.4 Each Official must complete an initial disclosure form within sixty (60) days upon commencing employment or appointment.

9.2.5 For each and every meeting of the Board of Governors, at the Call to Order agenda item, there will be a request from all members present to declare any conflict of interest, or perceived conflict of interest, related to any item on that agenda. If necessary, the minutes will reflect a decision to recuse at any step in the process.

9.3 **Review of Disclosure Forms.** Institutional Conflict of Interest Disclosures submitted by Officials shall be reviewed annually, and on an ad hoc basis as necessary, by the Conflict of Interest Committee to determine if an individual has an Institutional Conflict of Interest or the appearance of an Institutional Conflict of Interest. If a Conflict is identified, the Committee may determine that the Conflict can be managed through an appropriate Management Plan. If the Committee determines that the Conflict cannot be managed, then it shall recommend steps to resolve the Conflict.

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SECTION 10 CONFLICT OF COMMITMENT; OUTSIDE CONSULTING ARRANGEMENTS.

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10.1 **Applicability.** Full-time Faculty and Non-Classified Staff may engage in Consulting Arrangements outside of their employment responsibilities to the College on subjects that are within their area of professional expertise. The provisions of this Section do not apply to part-time Employees, such as Adjunct Faculty, who are not required to seek approval for Consulting Arrangements or other employment that they conduct outside of their part-time employment with the College.

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10.1.1 **Faculty Specific Guidelines.** External activities conducted by a faculty member should be of such nature as to improve effectiveness as a teacher or contribute to scholarly attainments or should in some manner serve the interests of the College or of the community. External activities must not distract significantly from primary responsibilities and must not require such extensive absence as to cause the faculty member to neglect course obligations or become unavailable to students and colleagues. External activities must be of such nature and conducted in such manner as will not bring discredit to Pierpont and must not compromise any Intellectual Property owned by the College.

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Accordingly, the maximum expenditure of time spent on external activities by a full-time faculty member appointed on a nine-month basis should not normally exceed forty days during the academic year, including holidays.

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For those full-time faculty members appointed on a twelve-month basis, time spent on external activities should not normally exceed fifty days per year, including holidays. For those academic year faculty receiving external funding during the summer, the policy for full-time faculty appointed on a twelve-month basis will apply – i.e., no more than fifty days per year, including holidays. Faculty members should periodically re-examine the nature and extent of their external activities and conscientiously avoid engaging in activities that constitute conflicts of commitment. The Provost or Dean may grant exceptions in extraordinary cases upon recommendation of the appropriate Dean.

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10.2 Staff Specific Guidelines. Employment outside Pierpont or other activities that could create a Conflict of Commitment, or the appearance of a Conflict of Commitment, should be disclosed as outlined in this policy and discussed with the staff member’s supervisor to ensure it will not create a Conflict of Commitment. Hourly paid staff, or part-time exempt staff, should also disclose and discuss with their supervisor concerning external obligations so that a Conflict of Commitment does not arise.

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Accordingly, external activities must be arranged so as not to interfere with a staff member’s primary commitments. External activities must be of such a nature and conducted in such a manner as will not bring discredit to the College and must not compromise any Intellectual Property owned by the College.

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Staff members should periodically re-examine the nature and extent of their external activities and conscientiously avoid engaging in activities that constitute conflicts of commitment. The President or Provost may grant exceptions to this policy in extraordinary cases upon recommendation of the Conflicts of Interest Committee.

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10.3 For the purposes of this Rule, “Consulting Arrangement” means any outside employment, arrangement, or contract where a full-time Faculty or Non-Classified Staff provides their expertise to a non-Pierpont third party as an independent contractor and in which the expertise is, directly or indirectly, related to the Employee’s employment or job duties with the College.

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10.3.1 However, for full-time employees during their yearly appointment term, such outside Consulting Arrangements must, at minimum, meet the following requirements:

10.3.1.1 it must further develop the individual professionally or serve the community, state, or nation in an area related to the individual’s assignment or professional expertise;

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10.3.1.2 it must not constitute a Conflict of Commitment with the individual’s College responsibilities, nor interfere with the individual’s teaching, research and service to the College; and

10.3.1.3 it must not be in conflict with the mission and objectives of Pierpont.

10.4 Guidelines for Outside Consulting Arrangements.

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10.4.1 Pierpont Faculty and Non-Classified Staff engaging in outside Consulting Arrangements are not permitted to use the College name, logo, or marks. However, the Pierpont Faculty and Non-Classified Staff may use the College name to convey biographical information.

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10.4.2 Pierpont Faculty and Non-Classified Staff are prohibited from using College resources, including but not limited to College email and electronic devices, the individual’s office, and other College Employees’ time, in carrying out their responsibilities under their outside Consulting Arrangements, unless the use is de minimis in accordance with the provisions of the Ethics Acts.

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10.4.3 An individual cannot use College resources to advertise or endorse their personal Consulting Arrangements.

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10.5 Approval of Outside Consulting Arrangements.

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10.5.1 Prior to agreeing to any outside Consulting Arrangement, an individual must submit a Consulting Arrangement Approval Form to the Dean of their School or the Provost. If an individual reports directly to the President, the President must approve the Form.

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10.5.2 The individual must fully complete the required Form and provide other reasonable information to the Dean or Provost upon request. At minimum, the Form must include a description of the Consulting Arrangement, entity with whom the arrangement is with, and the anticipated time commitment for the arrangement.

10.5.3 Upon review, the Dean, Provost, or President shall determine if the request is appropriate, does not constitute a Conflict of Commitment or create a Conflict of Interest, and abides by the guidelines provided within this Rule.

10.5.4 Should the request for an outside Consulting Arrangement be denied, the individual may request that decision be reviewed by the Pierpont's Conflict of Interest Committee for a final determination. The final determination of the Conflict of Interest Committee cannot be appealed.

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10.6 CONFLICT OF COMMITMENT GUIDELINE REGARDING NON-PIERPONT ONLINE TEACHING

10.6.1 General Standard Teaching outside of Pierpont presents issues that require special attention because it has the potential to compete with the College's own offerings. In judging the appropriateness of any online course outside the educational mission of the College, faculty should consider the time commitment and the potential impact of these activities on the fulfillment of their commitments to Pierpont

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In addition, the following special considerations and procedures apply to online courses offered, or reasonably expected to be offered, for academic credit and to online courses providing certifications:

In determining whether to grant such permission or as guidance for reviewing potential conflicts, the Dean (or the Dean's designee) and faculty should consider whether such an online course will impair the instructional offerings of the faculty member's School or other Schools at Pierpont. In making this impairment determination, the following factors (among others) may be useful to consider, with affirmative answers counting against approval, but no set number of affirmative answers being conclusive: Is the faculty member one of the primary instructors or a course director in the online course? Is the online course comparable to any current course at Pierpont? Is the online course among the courses that Pierpont plans to include in its own offerings in the next two academic years? Is the online course likely, in fact, to require the instructor to commit to teaching the content exclusively with the online vendor or other institution and not to provide any similar content in another online format?

10.6.2 Special Provision for Online Courses for Academic Credit. Faculty are not permitted to offer online courses for undergraduate, graduate, or professional degree credit for another education institution or venture except with permission of the faculty member's Dean.

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10.6.3 Special Provision for Online Courses Providing Certifications. Faculty must disclose their plan to teach in online courses that offer certifications to their Dean (or Dean’s designee) prior to undertaking such teaching.

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SECTION 11 CONFLICTS OF INTEREST COMMITTEE

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11.1 Composition

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11.1.1 The Conflicts of Interest Committee will be a College resource on Conflict of Interest matters and Conflict of Commitment matters. The Committee shall have representatives from relevant areas across Pierpont, appointed by the President, including faculty, finance, human resources, academics, administration, and student services. At least one representative on the Committee shall be a person from outside the Pierpont community with relevant knowledge.

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11.2 Duties

11.2.1 The Committee’s primary responsibility is to serve as a resource to the College on Conflict of Interest and Conflict of Commitment matters in which Pierpont’s mission, philosophy, and overall purpose could be compromised by the College’s relationships with the individual members of its community.

11.2.2 The Committee is responsible for reviewing all Conflict of Interest cases involving the College as a party or an institutional Conflict of Interest. The Committee will also review all cases where a management plan is being proposed and the individual has a Significant Financial Interest, as well as cases where the initial review committee cannot reach a decision. The Committee may also review appeals from adverse decisions and cases that may be referred to it. The Committee will conduct a thorough review of each case and will either approve or deny the proposed activity, management plan, and/or monitoring plan.

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11.2.3 In the event of an appeal, the Committee shall be provided with a copy of any disclosure statement which reveals a real or apparent Conflict of Interest, together with a recommendation from the appropriate Pierpont official. The Committee must provide individuals the opportunity to appear before the Committee and/or submit written comments regarding the recommendation.

11.2.4 The Committee shall maintain an ongoing awareness of procedures, practices, and standards concerning conflicts of interest with a view to providing consistency with the terms of this policy. It shall also provide for a proper balance between confidentiality and its operations and standards.

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11.2.5 The Committee shall perform such additional functions as may be assigned from time to time by the Chair of the Committee.

SECTION 12 DEFINITIONS

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12.1 “Board Member” means individuals actively serving as a board of governors member for Pierpont Community & Technical College as appointed under West Virginia Code §18B-2A-1.

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12.1 “Consulting Arrangement Approval Form” means a form developed for Faculty and Staff to obtain approval for their outside Consulting Arrangements. This Form can be located at:

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- 12.2 “Dean” means any Dean or their designee.
- 12.3 “Employee” means any Faculty and Staff.
- 12.4 “Family Member” means spouse, a person with whom the individual is living with as a partner, any dependent child, dependent grandchild, or dependent parent.
- 12.5 “Institutional Conflict of Interest Disclosure” means a form developed to disclose the potential institutional conflicts of interest or commitment of Pierpont Officials.
- 12.6 “Management Plan” means an agreed plan to take action to address a Conflict of Interest or Conflict of Commitment, which may include eliminating the conflict, to ensure, to the extent possible, that the Employee’s actions do not violate the West Virginia Ethics Act, this Rule, or any other relevant laws, regulations, policies, or procedures.
- 12.7 “Significant Financial Interest for Institutional Conflicts of Interest” means a financial interest consisting of one or more of the following interests of a Pierpont Official, or Family Member of the Pierpont Official, that reasonably appears related to the College Official’s institutional responsibilities:
- 12.7.1 Equity or ownership interests held by the Pierpont Official or a Family Member worth more than Ten Thousand Dollars (\$10,000.00) in the aggregate in any publicly traded, for-profit organization. Excluded are equity interests held in mutual funds or retirement programs.
- 12.7.2 Any equity or ownership interest held in any for-profit organization that is not publicly traded.
- 12.7.3 Service as a member of a board of directors or other governing board of a for-profit organization, including service as a trustee or scientific advisory board member, service as an officer of the organization (whether paid or unpaid) or service as an employee by the Pierpont Official.
- 12.7.4 Payments or a legal right to a payment, including royalty payments, resulting from technology transfer, licensing or any outside business activities that, for any single arrangement, exceeds Ten Thousand Dollars (\$10,000.00) in the aggregate per year.
- 12.8 “Staff” means all Classified Employees and Non-Classified Employees.
- 12.9 “College or Pierpont Official” means Pierpont Board Members, President, Vice Presidents, Assistant Provosts, Deans, Associate and Assistant Vice Presidents and Provosts, Assistant and Associate Deans, and Directors.

PIERPONT COMMUNITY & TECHNICAL COLLEGE
Board of Governors Policies and Procedures
POLICY # 7
PP-2007

SHORT TITLE: Ethics, Conflict of Interest, and Conflict of Commitment

REFERENCE: West Virginia Code § 18B-1-6, 6B-2-5(L)

EFFECTIVE: December 5, 2001

AMENDED: TBD

REPEALED:

REVIEWED:

SECTION 1. PURPOSE

- 1.1 This policy implements guidelines in accordance with the West Virginia Governmental Ethics Act. In addition, Pierpont Community & Technical College ("Pierpont" or "the College") seeks to provide that all Faculty, Staff, Board of Governors, and Volunteers, (including students with an employment relationship with the College) are responsible for sustaining the highest ethical standards through values of integrity, honesty, and fairness in their teaching, research, service, and business practices. This policy provides the College's guidelines regarding real and perceived Conflicts of Interest. It also provides guidelines that identify when Pierpont Faculty and Staff can appropriately enter into Consulting Arrangements with third parties outside of the scope of their employment with the College. Faculty on less than twelve-month appointments must continue to comply with the Ethics Act during the months between their appointment terms.
- 1.2 Preamble: In 1989, the West Virginia Legislature enacted the West Virginia Governmental Ethics Act, set out in Chapter 6B of the West Virginia State Code, declaring unlawful certain activities by public employees. Section 5(a), Article 2 of the Act prohibits a public employee from using his or her office or the prestige of that office for private gain. Section 5(c), Article 2 prohibits solicitation of gifts that may confer pecuniary benefits upon the employee. Section 5(d), Article 2 prohibits an interest in the profits or benefits of a public contract which an employee has direct authority to enter into or over which he or she may have control.

The original version of the Ethics Act subjected all public employees, including higher education employees, to fines, sanction, and criminal prosecution for violation of the Ethics Act unless they obtained prior approval for the proposed activity from the West Virginia Ethics Commission. Many of the teaching, research, consulting and publication activities of higher education faculty and

staff necessarily result in known and appropriate private benefits or gain which are customary and normal in higher education, but which were identified as potential violations of these provisions of the Ethics Act after its enactment. In 1990, the Ethics Act was amended at Section 5(1), Article 2 to allow higher education employees who derive private benefits from teaching, research, consulting, or publication activities the option of seeking exemption from the above prohibitions from their employing institution instead of through the Ethics Commission.

Therefore, this rule is adopted to set forth an expeditious procedure for granting such approval of exemptions at the institutional level to faculty and staff members who seek to be relieved of certain statutorily imposed prohibitions of the West Virginia Governmental Ethics Act. Nothing in this rule shall be interpreted as restricting or prohibiting the otherwise lawful institutional or outside activities of faculty or staff consistent with their institutional duties and responsibilities or employment contracts, or as requiring the prior approval of such activities by the institution. Nor shall this rule be interpreted as restricting academic freedom, as defined in Series 9 of the Higher Education Policy Commission Rules or the constitutional rights of employees to free speech and association.

However, this rule shall not be interpreted to require or grant institutional approval or sanction of faculty or staff activities that violate or conflict with their institutional duties or responsibilities, employment contract, federal or state law, the rules of the Pierpont Board of Governors, or the ethical standards imposed by the West Virginia Governmental Ethics Act.

SECTION 2. APPROVAL of ACTIVITY

- 2.1 Institutional approval of any activity pursuant to this policy shall be deemed to be a part of the employee's employment contract.
- 2.2 Any institutional approval granted pursuant to this policy may be revoked upon reasonable notice to the employee.
- 2.3 Approval for any activity under this policy may only be given by the College president or the president's designee. Such delegation of authority by the president shall be in accordance with the needs of the college but in no case shall such delegation be at an authority level lower than a departmental chair, director, or other similar department supervisor.
- 2.4 Approval for any activity may be granted on a case-by-case basis or, when such activities are common within the institution, a department or other category or grouping of employees, to all of the institution's employees or any subgrouping thereof.
- 2.5 The institution shall establish appropriate procedures for the review and approval of those employee activities covered by this policy.

- 2.6 Disclosures required by this policy are personal in nature and shall be kept confidential, as permitted by law.

SECTION 3. SOLICITATION of GIFTS

- 3.1 Unless otherwise restricted by one's supervisor, employees shall be permitted to solicit gifts which directly benefit the institution. Solicitations on behalf of a particular department, school or the Pierpont Foundation shall be deemed to be solicitation on behalf of or for the benefit of the institution.
- 3.2 Permissible solicitations shall include but not be limited to the following, even though the soliciting employee may work in a position which will be directly or indirectly supported thereby:
- 3.2.1 Grants from governmental agencies, foundations, corporations, or individuals to the institution to support teaching, research, publication or service activities of the institution;
 - 3.2.2 Contracts with governmental agencies, foundations, corporations, or individuals to the institution to support teaching, research, publication or service activities of the institution;
 - 3.2.3 Donations from foundations, corporations, or individuals to the institution to support teaching, research, publication or service activities of the institution.
- 3.3 Support for teaching, research, publication and service activities shall include but not be limited to such normal and regular institutional needs as support for salaries; scholarships; capital improvements or repairs; and classroom, laboratory, athletic, medical, scientific and other similar equipment supplies.

SECTION 4. USE OF PUBLIC OFFICE FOR PRIVATE GAIN

- 4.1 No solicitation or other activity permitted by this policy shall be deemed to be the inappropriate use of an employee's public office (position) or the prestige of that office for one's own private gain or that of another person.
- 4.2 When an employee of Pierpont Community & Technical College uses his or her knowledge and personal prestige for private gain without the use of the employee's public office, then there is no requirement to obtain an exemption under this ethics policy.
- 4.3 West Virginia Code Chapter 6B, Article 2, Section 5(1) gives institutions of public higher education limited authority to grant exemptions to their employees from the prohibitions in the State Ethics Act relating to the use of public office or the prestige of public office for private gain when the employee is using his or her field of expertise as an author, speaker, consultant or through other approved

activities such as service as a board member for outside agencies or businesses. Therefore, when an employee of Pierpont seeks to use his or her public office or the prestige of their public office for the employee's private gain or for the private gain of another person, the employee may seek from the President or his/her designee an exemption (as limited by the Ethics Act) from the prohibition against the use of public office or the prestige of public office for private gain.

- 4.4 The College President or his/her designee, subject to review from the Conflicts of Interest Committee, may grant the employee an exemption to permit the employee to use the employee's public office to derive private benefit from the employee's field of expertise as an author, speaker, consultant, or through other approved activities such as service on the board of an outside agency or business.
- 4.5 In granting permission for an employee to engage in such outside activities which may be directly or indirectly associated with the employee's position with the institution, consideration should be given to the following:
 - 4.5.1 Whether the employee brings to his/her position his/her own unique personal prestige which is based upon his/her own intelligence, education, experience, skills and abilities, or other personal gifts or traits.
 - 4.5.2 Whether such activity is customary and usual within the field;
 - 4.5.3 Whether the institution derives any benefit through prestige or otherwise from the activity;
 - 4.5.4. Whether the institution expects or anticipates that the employee will gain financially from the activities which are not a part of the employee's required employment activities;
 - 4.5.5 Whether the employee's activity will increase his/her personal or professional development or will lend service or benefit to the nation, state or community;
 - 4.5.6 Whether the outside activity will interfere with or create an overriding conflict with the employee's responsibility to the institution or will interfere with the satisfactory performance of the employee's institutional duties.
- 4.6 The disclosure by an employee of an employee's position, title, and work history with Pierpont or any other public college in West Virginia in the promotion of an employee's private activities shall be exempt from the prohibition against the use of prestige of public office for a private gain. However, in these cases the employee has the responsibility to make clear the fact that he or she is not representing the institution but is speaking as a private citizen. Employees may not use College-owned supplies, equipment, or other resources for personal projects or outside Consulting Arrangements. However, College Employees may use such resources for personal projects or outside Consulting Arrangements

pursuant to an arrangement with the College to pay a fair market rate for those resources. College Employees may not use their subordinates to work on personal projects or outside Consulting Arrangements during work hours or compel them to do so on their own time. Any misuse of Pierpont resources is prohibited unless that use is de minimis, that is, involving only an insignificant amount of time, funds, supplies, personnel, or equipment.

- 4.7 An employee who obtains an exemption from the Ethics Act prohibitions, or under any other conflicts in this rule, under the procedure authorized in this policy shall not be deemed an agent of Pierpont when the employee is acting outside the scope of his or her other employment for his or her private benefit.
- 4.8 No exemption granted under this ethics policy shall be deemed to constitute a waiver by the institution of any lawful contractual provision in the employment contract of a full or part-time employee of Pierpont.

SECTION 5. INTERESTS IN PUBLIC CONTRACTS

- 5.1 The Ethics Act prohibits College Officials from having a financial interest in any contract, purchase, or sale over which their position at the College gives them control, unless the total value of such contracts, purchases, or sales does not exceed One Thousand Dollars (\$1,000.00) in a calendar year. This prohibition extends to contracts in which the College Employee's Family Members have a financial interest, as well as to any business with which the College Employee or their Family Members are associated. Each Official shall be required to disclose any interest the employee or any member of the employee's immediate family may have in the profits or benefits of a contract which the employee may have direct authority to enter into or over which the employee may have control unless such interest is limited within the meaning of West Virginia Code 6B-2-5(d)(2).
- 5.2 Pierpont, through its Conflicts of Interest Committee, may review any interest an employee or any member of the employee's family may have and determine what, if any, restrictions or limitation should be placed on the employee's activities.
- 5.3 Without limitation, the following represent examples of interests in public contracts which may be permitted:
 - 5.3.1 The faculty/employee is the author and copyright owner of a leading textbook in his/her teaching field and may wish to require the use of the textbook by his/her students;
 - 5.3.2 The faculty/employee is the inventor and patent owner of a scientific tool necessary for research in his/her field;
 - 5.3.3 The faculty/employee is an expert in the region in a particular field and such consulting expertise is being sought by the institution or another

governmental agency and the providing of such consulting services is not a part of the employee's duties to the institution.

5.4 A Pierpont Employee may not endorse a particular product or business. This includes any product or business and includes case studies completed by a vendor. A commercial endorsement of a product or business is only permissible when it results in an overriding public benefit. Sponsorship agreements entered into on behalf of the College are deemed to have an overriding public benefit within the meaning of the Ethics Act.

5.5 Dual Compensation. No Pierpont Employee may receive compensation from two sources of state, county, or municipal government for working the same hours, except under certain limited circumstances. However, Faculty and Non-Classified Staff can engage in an outside Consulting Arrangement with a state, county, or municipal government as long as the individuals comply with all of the requirements within Section 7 of this Rule in doing so.

SECTION 6. ADDITIONAL PERMISSIBLE ACTIVITY

6.1 Unless otherwise prohibited by the Pierpont Board of Governors, no activity permitted under the West Virginia Ethics Act shall be deemed to be a violation of this policy.

6.2 Unless otherwise prohibited or restricted by the Pierpont Board of Governors, no activity approved, permitted or exempted by the West Virginia Ethics Commission shall be deemed to be a violation of this policy.

SECTION 7. PRESIDENT AND CHAIR

7.1 Upon review by the Conflicts of Interest Committee, the Chair of the Pierpont Board of Governors shall have the authority to review and grant approval of those activities of the president which may involve a conflict of interest pursuant to this policy.

SECTION 8. CONFLICT OF INTEREST AND CONFLICT OF COMMITMENT

8.1 All full-time Pierpont Employees owe their primary professional allegiance to the College. All Pierpont Officials and Employees should be aware of the two types of conflicts: Conflicts of Interest and Conflicts of Commitment.

8.2 Conflicts of Interest

8.2.1 A Conflict of Interest occurs when there is a divergence between a College Employee or Official's private, personal relationships or interests and their professional obligations to the College such that a reasonable observer might question whether the individual's professional actions or decisions are determined by or substantially altered by considerations of personal benefit, gain, or advantage.

8.2.2 Whether a Conflict of Interest, or the appearance of a Conflict of Interest, exists depends on the situation, not on the character or actions of the individual. The determination of the existence of a Conflict of Interest or the appearance of a Conflict of Interest is done objectively on a case-by-case basis. Because the appearance of a Conflict of Interest can be as damaging or detrimental as an actual Conflict of Interest, for the purposes of this Rule, apparent Conflicts of Interest are treated the same as actual Conflicts of Interest. As a result, any appearance of a Conflict of Interest must also be disclosed and reviewed in accordance with this Rule by the Conflict of Interest Committee.

8.3 Conflicts of Commitment

8.3.1 A full-time Pierpont Employee's primary commitment of time and intellectual effort must be to the teaching, scholarship, and service missions of the College.

8.3.2 A Conflict of Commitment refers to a situation where an individual engages in external activities, either paid or unpaid, that interferes with his/her primary obligation and commitment to the College. Individuals in the Pierpont community should evaluate and arrange their external interests in order to avoid compromising their ability to carry out their primary obligations to the College, and most conflicts of commitment should generally be avoided or resolved through the exercise of personal judgment or discretion.

8.4 Corrective Actions for Violations

8.4.1 Any Pierpont Employee who fails to abide by the requirements within this Rule shall be subject to appropriate disciplinary action, up to and including termination, or other disciplinary action as may be appropriate.

SECTION 9 INSTITUTIONAL CONFLICT OF INTEREST

9.1 An Institutional Conflict of Interest may exist when the personal financial holdings of a Pierpont Official which, by virtue of their institutional authority, may affect or reasonably appear to affect institutional processes, business transactions, or other activities at the College.

9.2 **Disclosure Requirements.** Officials must annually disclose Significant Financial Interests for Institutional Conflicts of Interest to the Conflict of Interest Committee by June 30 of each year.

9.2.1 Each Official must submit an Institutional Conflict of Interest Disclosure regardless of whether or not the individual has a Significant Financial Interest for Institutional Conflicts of Interest to report.

9.2.2 Each Official must sign and certify the annual disclosure as accurate and complete.

9.2.3 Each Official must update their annual disclosure within thirty (30) days of the development of a new Significant Financial Interest.

9.2.4 Each Official must complete an initial disclosure form within sixty (60) days upon commencing employment or appointment.

9.2.5 For each and every meeting of the Board of Governors, at the Call to Order agenda item, there will be a request from all members present to declare any conflict of interest, or perceived conflict of interest, related to any item on that agenda. If necessary, the minutes will reflect a decision to recuse at any step in the process.

- 9.3 **Review of Disclosure Forms.** Institutional Conflict of Interest Disclosures submitted by Officials shall be reviewed annually, and on an ad hoc basis as necessary, by the Conflict of Interest Committee to determine if an individual has an Institutional Conflict of Interest or the appearance of an Institutional Conflict of Interest. If a Conflict is identified, the Committee may determine that the Conflict can be managed through an appropriate Management Plan. If the Committee determines that the Conflict cannot be managed, then it shall recommend steps to resolve the Conflict.

SECTION 10 CONFLICT OF COMMITMENT; OUTSIDE CONSULTING ARRANGEMENTS.

- 10.1 **Applicability.** Full-time Faculty and Non-Classified Staff may engage in Consulting Arrangements outside of their employment responsibilities to the College on subjects that are within their area of professional expertise. The provisions of this Section do not apply to part-time Employees, such as Adjunct Faculty, who are not required to seek approval for Consulting Arrangements or other employment that they conduct outside of their part-time employment with the College.

10.1.1 Faculty Specific Guidelines. External activities conducted by a faculty member should be of such nature as to improve effectiveness as a teacher or contribute to scholarly attainments or should in some manner serve the interests of the College or of the community. External activities must not distract significantly from primary responsibilities and must not require such extensive absence as to cause the faculty member to neglect course obligations or become unavailable to students and colleagues. External activities must be of such nature and conducted in such manner as will not bring discredit to Pierpont and must not compromise any Intellectual Property owned by the College.

Accordingly, the maximum expenditure of time spent on external activities by a full-time faculty member appointed on a nine-month basis

should not normally exceed forty days during the academic year, including holidays.

For those full-time faculty members appointed on a twelve-month basis, time spent on external activities should not normally exceed fifty days per year, including holidays. For those academic year faculty receiving external funding during the summer, the policy for full-time faculty appointed on a twelve-month basis will apply – i.e., no more than fifty days per year, including holidays. Faculty members should periodically re-examine the nature and extent of their external activities and conscientiously avoid engaging in activities that constitute conflicts of commitment. The Provost or Dean may grant exceptions in extraordinary cases upon recommendation of the appropriate Dean.

10.2 Staff Specific Guidelines. Employment outside Pierpont or other activities that could create a Conflict of Commitment, or the appearance of a Conflict of Commitment, should be disclosed as outlined in this policy and discussed with the staff member's supervisor to ensure it will not create a Conflict of Commitment. Hourly paid staff, or part-time exempt staff, should also disclose and discuss with their supervisor concerning external obligations so that a Conflict of Commitment does not arise.

Accordingly, external activities must be arranged so as not to interfere with a staff member's primary commitments. External activities must be of such a nature and conducted in such a manner as will not bring discredit to the College and must not compromise any Intellectual Property owned by the College.

Staff members should periodically re-examine the nature and extent of their external activities and conscientiously avoid engaging in activities that constitute conflicts of commitment. The President or Provost may grant exceptions to this policy in extraordinary cases upon recommendation of the Conflicts of Interest Committee.

10.3 For the purposes of this Rule, "Consulting Arrangement" means any outside employment, arrangement, or contract where a full-time Faculty or Non-Classified Staff provides their expertise to a non-Pierpont third party as an independent contractor and in which the expertise is, directly or indirectly, related to the Employee's employment or job duties with the College.

10.3.1 However, for full-time employees during their yearly appointment term, such outside Consulting Arrangements must, at minimum, meet the following requirements:

10.3.1.1 it must further develop the individual professionally or serve the community, state, or nation in an area related to the individual's assignment or professional expertise;

10.3.1.2 it must not constitute a Conflict of Commitment with the individual's College responsibilities, nor interfere with the individual's teaching, research and service to the College; and
10.3.1.3 it must not be in conflict with the mission and objectives of Pierpont.

10.4 Guidelines for Outside Consulting Arrangements.

10.4.1 Pierpont Faculty and Non-Classified Staff engaging in outside Consulting Arrangements are not permitted to use the College name, logo, or marks. However, the Pierpont Faculty and Non-Classified Staff may use the College name to convey biographical information.

10.4.2 Pierpont Faculty and Non-Classified Staff are prohibited from using College resources, including but not limited to College email and electronic devices, the individual's office, and other College Employees' time, in carrying out their responsibilities under their outside Consulting Arrangements, unless the use is de minimis in accordance with the provisions of the Ethics Acts.

10.4.3 An individual cannot use College resources to advertise or endorse their personal Consulting Arrangements.

10.5 Approval of Outside Consulting Arrangements.

10.5.1 Prior to agreeing to any outside Consulting Arrangement, an individual must submit a Consulting Arrangement Approval Form to the Dean of their School or the Provost. If an individual reports directly to the President, the President must approve the Form.

10.5.2 The individual must fully complete the required Form and provide other reasonable information to the Dean or Provost upon request. At minimum, the Form must include a description of the Consulting Arrangement, entity with whom the arrangement is with, and the anticipated time commitment for the arrangement.

10.5.3 Upon review, the Dean, Provost, or President shall determine if the request is appropriate, does not constitute a Conflict of Commitment or create a Conflict of Interest, and abides by the guidelines provided within this Rule.

10.5.4 Should the request for an outside Consulting Arrangement be denied, the individual may request that decision be reviewed by the Pierpont's Conflict of Interest Committee for a final determination. The final determination of the Conflict of Interest Committee cannot be appealed.

10.6 CONFLICT OF COMMITMENT GUIDELINE REGARDING NON-PIERPONT ONLINE TEACHING

10.6.1 General Standard Teaching outside of Pierpont presents issues that require special attention because it has the potential to compete with the College's own offerings. In judging the appropriateness of any online course outside the educational mission of the College, faculty should consider the time commitment and the potential impact of these activities on the fulfillment of their commitments to Pierpont

In addition, the following special considerations and procedures apply to online courses offered, or reasonably expected to be offered, for academic credit and to online courses providing certifications:

In determining whether to grant such permission or as guidance for reviewing potential conflicts, the Dean (or the Dean's designee) and faculty should consider whether such an online course will impair the instructional offerings of the faculty member's School or other Schools at Pierpont. In making this impairment determination, the following factors (among others) may be useful to consider, with affirmative answers counting against approval, but no set number of affirmative answers being conclusive: Is the faculty member one of the primary instructors or a course director in the online course? Is the online course comparable to any current course at Pierpont? Is the online course among the courses that Pierpont plans to include in its own offerings in the next two academic years? Is the online course likely, in fact, to require the instructor to commit to teaching the content exclusively with the online vendor or other institution and not to provide any similar content in another online format?

10.6.2 Special Provision for Online Courses for Academic Credit. Faculty are not permitted to offer online courses for undergraduate, graduate, or professional degree credit for another education institution or venture except with permission of the faculty member's Dean.

10.6.3 Special Provision for Online Courses Providing Certifications. Faculty must disclose their plan to teach in online courses that offer certifications to their Dean (or Dean's designee) prior to undertaking such teaching.

SECTION 11 CONFLICTS OF INTEREST COMMITTEE

11.1 Composition

11.1.1 The Conflicts of Interest Committee will be a College resource on Conflict of Interest matters and Conflict of Commitment matters. The Committee shall have representatives from relevant areas across Pierpont, appointed by the President, including faculty, finance, human resources, academics, administration, and student services. At least one representative on the

Committee shall be a person from outside the Pierpont community with relevant knowledge.

11.2 Duties

11.2.1 The Committee's primary responsibility is to serve as a resource to the College on Conflict of Interest and Conflict of Commitment matters in which Pierpont's mission, philosophy, and overall purpose could be compromised by the College's relationships with the individual members of its community.

11.2.2 The Committee is responsible for reviewing all Conflict of Interest cases involving the College as a party or an institutional Conflict of Interest. The Committee will also review all cases where a management plan is being proposed and the individual has a Significant Financial Interest, as well as cases where the initial review committee cannot reach a decision. The Committee may also review appeals from adverse decisions and cases that may be referred to it. The Committee will conduct a thorough review of each case and will either approve or deny the proposed activity, management plan, and/or monitoring plan.

11.2.3 In the event of an appeal, the Committee shall be provided with a copy of any disclosure statement which reveals a real or apparent Conflict of Interest, together with a recommendation from the appropriate Pierpont official. The Committee must provide individuals the opportunity to appear before the Committee and/or submit written comments regarding the recommendation.

11.2.4 The Committee shall maintain an ongoing awareness of procedures, practices, and standards concerning conflicts of interest with a view to providing consistency with the terms of this policy. It shall also provide for a proper balance between confidentiality and its operations and standards.

11.2.5 The Committee shall perform such additional functions as may be assigned from time to time by the Chair of the Committee.

SECTION 12 DEFINITIONS

12.1 "Board Member" means individuals actively serving as a board of governors member for Pierpont Community & Technical College as appointed under West Virginia Code §18B-2A-1.

12.1 "Consulting Arrangement Approval Form" means a form developed for Faculty and Staff to obtain approval for their outside Consulting Arrangements. This Form can be located at:

12.2 "Dean" means any Dean or their designee.

12.3 "Employee" means any Faculty and Staff.

- 12.4 "Family Member" means spouse, a person with whom the individual is living with as a partner, any dependent child, dependent grandchild, or dependent parent.
- 12.5 "Institutional Conflict of Interest Disclosure" means a form developed to disclose the potential institutional conflicts of interest or commitment of Pierpont Officials.
- 12.6 "Management Plan" means an agreed plan to take action to address a Conflict of Interest or Conflict of Commitment, which may include eliminating the conflict, to ensure, to the extent possible, that the Employee's actions do not violate the West Virginia Ethics Act, this Rule, or any other relevant laws, regulations, policies, or procedures.
- 12.7 "Significant Financial Interest for Institutional Conflicts of Interest" means a financial interest consisting of one or more of the following interests of a Pierpont Official, or Family Member of the Pierpont Official, that reasonably appears related to the College Official's institutional responsibilities:
- 12.7.1 Equity or ownership interests held by the Pierpont Official or a Family Member worth more than Ten Thousand Dollars (\$10,000.00) in the aggregate in any publicly traded, for-profit organization. Excluded are equity interests held in mutual funds or retirement programs.
- 12.7.2 Any equity or ownership interest held in any for-profit organization that is not publicly traded.
- 12.7.3 Service as a member of a board of directors or other governing board of a for-profit organization, including service as a trustee or scientific advisory board member, service as an officer of the organization (whether paid or unpaid) or service as an employee by the Pierpont Official.
- 12.7.4 Payments or a legal right to a payment, including royalty payments, resulting from technology transfer, licensing or any outside business activities that, for any single arrangement, exceeds Ten Thousand Dollars (\$10,000.00) in the aggregate per year.
- 12.8 "Staff" means all Classified Employees and Non-Classified Employees.
- 12.9 "College or Pierpont Official" means Pierpont Board Members, President, Vice Presidents, Assistant Provosts, Deans, Associate and Assistant Vice Presidents and Provosts, Assistant and Associate Deans, and Directors.